



FH  
[REDACTED]

**STATE OF WISCONSIN**  
**Division of Hearings and Appeals**

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In the Matter of

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

DECISION

MAP- 174594

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**PRELIMINARY RECITALS**

On May 20, 2016, the above petitioner filed a hearing request under Wis. Admin. Code § HA 3.03(1), to challenge a decision by the Fond Du Lac County Department of Social Services regarding Medical Assistance (MA). The hearing was held on July 6, 2016, by telephone.

There is no issue for determination.

There appeared at that time the following persons:

**PARTIES IN INTEREST:**

Petitioner:

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Respondent:

Department of Health Services  
1 West Wilson Street, Room 651  
Madison, Wisconsin 53703

[REDACTED], ESS

Fond Du Lac County Department of  
Social Services  
50 N Portland St  
Fond Du Lac, WI 54935

**ADMINISTRATIVE LAW JUDGE:**

Kelly Cochrane  
Division of Hearings and Appeals

## **FINDINGS OF FACT**

1. Petitioner (CARES # [REDACTED]) is a resident of Fond Du Lac County.

## **DISCUSSION**

At hearing the agency's representative and petitioner's representative discussed the issues in petitioner's appeal. The agency agreed that based on the information provided at hearing, that the agency would agree to review petitioner's checking account and redetermine whether the petitioner was eligible for Community Waivers effective June 1, 2016. The agency also agreed to review the form showing that petitioner met the nonfinancial work requirement for MAPP, and redetermine his eligibility for MAPP effective June 1, 2016. Because there is no issue for me to resolve, the matter will be remanded to the agency to comply with these agreements made at hearing.

## **CONCLUSIONS OF LAW**

There is no issue for determination.

**THEREFORE, it is**

## **ORDERED**

The matter is remanded to the agency to (1) redetermine petitioner's eligibility for Community Waivers effective June 1, 2016 using the new asset information provided at/after hearing, and (2) redetermine petitioner's eligibility for MAPP effective June 1, 2016, using the information provided at/after hearing showing whether he met the work requirement and (3) to issue a notice of decision regarding these actions to the petitioner. These actions shall be taken within 10 days of the date of this decision, if these actions have not already been taken.

## **REQUEST FOR A REHEARING**

You may request a rehearing if you think this decision is based on a serious mistake in the facts or the law or if you have found new evidence that would change the decision. Your request must be **received within 20 days after the date of this decision**. Late requests cannot be granted.

Send your request for rehearing in writing to the Division of Hearings and Appeals, 5005 University Avenue, Suite 201, Madison, WI 53705-5400 **and** to those identified in this decision as "PARTIES IN INTEREST." Your rehearing request must explain what mistake the Administrative Law Judge made and why it is important or you must describe your new evidence and explain why you did not have it at your first hearing. If your request does not explain these things, it will be denied.

The process for requesting a rehearing may be found at Wis. Stat. § 227.49. A copy of the statutes may be found online or at your local library or courthouse.

## **APPEAL TO COURT**

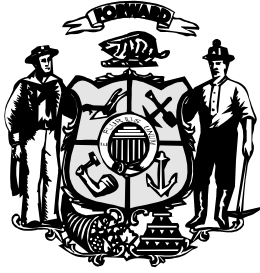
You may also appeal this decision to Circuit Court in the county where you live. Appeals must be filed with the Court **and** served either personally or by certified mail on the Secretary of the Department of Health Services, 1 West Wilson Street, Room 651, **and** on those identified in this decision as "PARTIES

IN INTEREST” **no more than 30 days after the date of this decision** or 30 days after a denial of a timely rehearing (if you request one).

The process for Circuit Court Appeals may be found at Wis. Stat. §§ 227.52 and 227.53. A copy of the statutes may be found online or at your local library or courthouse.

Given under my hand at the City of Milwaukee,  
Wisconsin, this 8th day of July, 2016.

\s \_\_\_\_\_  
Kelly Cochrane  
Administrative Law Judge  
Division of Hearings and Appeals



## **State of Wisconsin\DIVISION OF HEARINGS AND APPEALS**

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The preceding decision was sent to the following parties on July 8, 2016.

Fond Du Lac County Department of Social Services  
Division of Health Care Access and Accountability